



# Visions of a New Political Order

## GTI Forum

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The people of Earth confront a common destiny without a coordinated way to mute dangers and pursue ambitions. As mounting crises reveal the inadequacy of the UN's state-centric model, the idea of a constitutional world federation gains traction. Glen T. Martin's opening essay introduces the Earth Constitution proposal for a new transnational political order. Three panels respond to this bold initiative: the first endorses the approach, the second favors different strategies, and the third spotlights the cultivation of inclusive, democratic processes.

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# The Great Transition Requires the Earth Constitution

Glen T. Martin

Planet Earth struggles in a state of fragmentation and lawlessness. The COVID-19 pandemic has underscored the catastrophic failure of an every-country-for-itself approach to public health, and national economic interests, rather than global needs, continue to dominate discussions of climate policy, paving the path toward climate chaos. Coordination has never been so needed yet so lacking.

A broader framework of disorder exacerbates this fragmentation. Nation-state actors have declared their “right” to assassinate persons anywhere in the world thought to be “enemy combatants” by secret evidence, without trial or any due process of law. Big money influences how laws are made in nearly every country, industrial-military complexes encourage a war mentality, and mass media propaganda encourage seeing the world as full of enemies and security threats. The capitalist system cultivates both egoism and an unlimited expansionist economic model that has wrought havoc on our finite planet with its multiple intersecting, delicately balanced ecosystems. Unless the people of Earth take charge through a true democratic system more powerful than multinational corporations, big money, global private banking, or militarized imperial nation-states, our planet has little hope for a transformed future.

## Why the Earth Needs a Constitution

Some scholars and activists have set their hopes on an expanded and democratized United Nations to achieve such global cooperation. A viable path to rectifying fragmentation and lawlessness, they argue, is a United Nations that lives up to its rhetoric. But the UN system suffers design flaws not easy to reform.

For example, the UN Charter, despite its lofty language, fails to provide democratic law enforceable over all persons. Even the recently developed International Criminal Court (ICC) is but a gesture in this direction. Furthermore, international law, so-called, involves treaties among sovereign nation-states in which the most powerful take precedence. The World Trade Organization and World Bank are dominated by the world's largest economies (that is, by the rich and powerful and their multinational corporations), not by overarching principles of justice and equality under democratic laws.

Finally, the UN General Assembly itself is fundamentally powerless and blatantly undemocratic; even if it had authority, tiny states and large states alike would each have only one vote. In the General Assembly, nation-states vote, not people, and about half the world's nation-states are democracies in name only or not even democracies at all. At any rate, the Security Council locks in real control of UN decision-making by postwar powers.

The fundamental flaw of the UN Charter is that it is based on the "Westphalian System" of sovereign states recognizing no binding laws above themselves, a seventeenth-century artifact. When this system began, nations were fighting on horseback with swords and muskets. Today, advances in both weaponry and our understanding of human rights and dignity, as well as the planetary environmental crisis, make clear that reform of this system is not enough. We need a paradigm shift. We need real, enforceable, democratic law for our planet-as-a-whole.

Law, at least in the United States, is often considered a necessary evil, always a potential threat to personal liberty. However, as developments in the philosophy of law over the past sixty years have incisively shown, law empowers and protects persons, serving not as a threat but as a framework within which one's potential can be actualized, one's accomplishments can be formally recognized, and one's life can be lived with peace and security in the pursuit of freely chosen goals.<sup>1</sup> According to legal scholar Ron Dworkin, the highest meaning of the rule of law involves a framework of "respect and concern" by judges, lawmakers, and officials as they enact their constitutionally mandated moral relationship with the governed.<sup>2</sup> Such insights are negated by the system of militarized sovereign nation-states that primarily substitutes national self-interest, undergirded by violence and the threat of violence, for the moral foundations provided by true democratic laws.

Even a culture promoting widespread kindness and compassion would not suffice apart from a framework of the rule of law. Kant made this very clear in distinguishing between duty and inclination.<sup>3</sup> Law is universal and without exceptions, but the kindest person may experience exceptions in his or her behavior due to fear, passion, instinct, anger, or impulse. The law is not contingent in this way. A culture of kindness and compassion requires law as a framework to declare and ensure its universality.

Some scholars have argued that such solidarity-driven communities are only possible at smaller scales. Indeed, many creative thinkers about the future have advocated the development of small, regional communities dedicated to democratic coherence and establishing a culture of ecological and social harmony among themselves, such as “transition towns,” or social withdrawal through varieties of “climate nihilism.”<sup>4</sup> However, such a global anarchism of local sustainable communities cannot possibly succeed without planetary democratic coordination and support.

Who would prevent some failed communities from invading and taking the resources of successful communities? Who would deal with the mass migration of those displaced by climate change? Who would prevent a competitive scramble for diminishing essential resources? Who would ensure the end of the manufacture of weapons of war somewhere in the world? If very large-scale environmental projects are required (which almost certainly will be the case), who would finance, undertake, and coordinate these huge efforts?

World law is an absolute imperative for the future of humanity not only as coordinator and educator but as transformer. It is both a means to the next step in human evolution and a milestone within that evolutionary process. Law at the world level inspires universality, world citizenship, species consciousness, and focus on our common global problems. Our problems are truly global, beyond the scope of even the most powerful nations to deal with, yet the UN Charter still stands on the unworkable and antiquated basis of the sovereignty of nations. In contrast, democratic world law is inherently federalist in the sense that every whole is always a whole of parts. Unity in diversity becomes the necessary foundation. Top-down and bottom-up become synergistically united, as in any authentic democracy, giving rise to a transformative spiritual power as yet unknown in human history. Only this transformation can effectively address our lethal global problems.

## Guiding Principles and Structures

Written and refined over a period of twenty-three years from 1968 to 1991, the *Constitution for the Federation of Earth* offers a concrete vision and a path forward to democratic world law.<sup>5</sup> The text emerged from a robust process with five international legal thinkers as its main authors, interacting with a drafting committee of twenty-five others, with repeated drafts sent out to a mailing list of hundreds of world citizens who met in four Constituent Assemblies in 1968, 1977, 1979, and 1991. Since then, the World Constitution and Parliament Association (WCPA) has promoted its study, translation, and ratification worldwide.<sup>6</sup>

The Constitution sets out a comprehensive design for a vibrant world democracy under a World Parliament with three houses: a House of Peoples, a House of Nations, and a House of Counselors. Its nineteen Articles lay out in detail the workings for a complete government, functioning on behalf of the common good of the people of Earth. It is not, like the UN Charter, primarily a treaty of sovereign nation-states who retain their military powers and their autonomy as they come together to promote their own national self-interest. Under the Earth Constitution, nations take their proper role as administrative regions within the whole of the Earth Federation, retaining constitutional sovereignty over their internal affairs and participating democratically (along with the direct involvement of their citizens) in the management of global affairs.

The Constitution is designed to address our multiple, interconnected global crises effectively and synergistically. It provides a framework of global cooperative governance for ending war, disarming the nations, protecting universal human rights, minimizing global social disparities, and protecting the ecology of the Earth. Precisely because the Constitution assigns real democratic power and authority to the representatives of the people of Earth, built into its processes, including the procedures of the World Police, it will lead to the progressive diminishing recourse to state violence everywhere.<sup>7</sup> The Earth Federation government will have the authority, the resources, and, if instituted through an organic democratic process, the grassroots support of the people of Earth needed to take the truly transformative actions for creating a decent future.

Under the Constitution, the world's people are represented directly through representatives to the House of Peoples from 1,000 World Electoral Districts (WEDs), substantially equal in population.

Nations are represented in the House of Nations with one, two, or three representatives from each nation depending on population. In order to draw on the knowledge of academia, faculty and students from all institutions of higher learning in each of the Constitution's twenty world administrative regions nominate candidates for the House of Counselors, with the other two Houses of Parliament then electing ten from each of the twenty regions.

The Counselors often combine with the other two houses for votes of the entire World Parliament in joint session, but also have a key role in making nominations for positions of leadership of government agencies. The other two houses elect the leaders of Federation agencies from these nominations. The Counselors (as well as the World Supreme Court system) are also available for consultations, advisements, or draft legislation at the request of the other houses or any agency in the Earth Federation government. The total number of representatives in the World Parliament will include 1,000 from the people directly, 200 in the House of Counselors, and about 300 in the House of Nations. Under the tricameral World Parliament come the four main agencies of the Earth Federation government: the World Supreme Court system, the World Executive, the World Enforcement System, and the World Ombudsman.

The Constitution designs every agency and department of the Earth Federation government on the principle of unity in diversity. No agency or institute has only one director or head. Nearly every agency is run by a group of five persons, all elected by the World Parliament from nominations made by the House of Counselors—and requiring one to be elected from each of the five continental divisions of the world. The Chair of these groups rotates annually. In addition, the enforcement system comprised of the World Attorneys General and the World Police form an organ independent from the World Executive branch, accountable only to the World Parliament. The World Executive has no ability to suspend the Constitution, to declare a state of emergency, or to withhold spending of the budget, nor does it nominate (as in the US) the justices who sit on the World Supreme Court.

The Constitution contains two bills of rights. Article 12 is a comprehensive list of rights and freedoms that are immediately enforceable, such as freedom of speech, freedom of assembly, and equal protection under the law. Article 13 includes a comprehensive list of additional rights that cannot

be realized immediately, such as the right to a sustainable environment, to health care for all, to a decent standard of living for every person on Earth, and to world peace.

These rights, structures, and division of powers are complemented by the World Ombudsman. This worldwide organization, accountable to the World Parliament, is dedicated to protecting human rights worldwide and advocating for implementation of the expanded set of rights. The World Ombudsman serves as a watchdog on the world government itself to protect against corruption, violations of the Earth Constitution, or undemocratic abuses of power. It can investigate any branch of government from the World Police to the World Executive to members of the World Parliament. It is responsible for bringing attention to abuses that are then referred to the courts or some other appropriate agency.

## Where Do We Go from Here?

According to Article 19 of the Constitution, the people of Earth are empowered to begin the key elements of the Earth Federation *now*. There is no need to wait for ratification; the world crisis demands immediate action. The first operative stage of the Earth Federation will need all the help it can get from the preparations already being made through the creation of the Provisional World Parliament and other established preparatory agencies. The Provisional World Parliament, begun in 1982, has a permanent office in New Delhi (now preparing for its fifteenth session, taking place next year, and beyond), where it plays a key role in educating humankind about the need for real democratic laws that bind all individuals and empower the cooperative synergy inherent in the Constitution's design. Meanwhile, work continues on delineating the 1,000 World Electoral Districts and preparing for secure online voting by all citizens of the Earth. Once well advanced, this system of districts and voting can be used to ratify the Constitution itself.<sup>8</sup>

The Constitution is ready to go. The first step, which is ongoing, is to elaborate Provisional World Government. Once the structure is operative, any twenty-five nations can adopt the constitution and immediately establish the Earth Federation and begin the First Operative Stage. Any ten nations of sufficient size along with majority votes from any fifty World Electoral Districts, or majority votes from any hundred WEDs, can also initiate this new stage.

A living document, the Constitution is designed for revision as needed, with a constitutional review required within ten years. This is crucial because the Constitution as it exists today cannot be considered just a draft, to be endlessly argued over and debated—it is a finished document ready for ratification. If we want to make the Great Transition happen rapidly and effectively, any changes need to reflect the experiences and challenges of implementation. The time for amendments is immediately after the First Operative Stage has been reached. When 50% of the world has joined the Federation, the Second Operative Stage can begin. It continues the demilitarizing process begun in the First Operative Stage (and works with non-Federation nations to integrate and demilitarize them all, first and foremost weapons of mass destruction). It strengthens the authority of the Federation over all the essential resources of the Earth, such as the oceans, the atmosphere, and essential rain forests of our planet. The final, full operative stage encompasses the entire world within a global democracy of peace, justice, freedom, sustainability, and ecological regeneration.

The world has languished too long in a state of fragmentation and lawlessness. Only within a new, comprehensive governance structure as embodied in the Earth Constitution can we hope to achieve the universal flourishing of a Great Transition.

## Endnotes

1. H. L. A. Hart, *The Concept of Law*, 2nd ed. (Oxford, UK: Oxford University Press, 1994).
2. Ronald Dworkin, *Law's Empire* (Cambridge, MA: Harvard University Press, 1986).
3. Immanuel Kant, *Groundwork of the Metaphysic of Morals*, trans. H. J. Paton, (New York: Harper & Row, 1964).
4. Richard Heinberg, *The End of Growth* (Gabriola Island, BC: New Society Publishers, 2011); Sally Goerner, et al., *The New Science of Sustainability* (New York: Triangle Center for Complex Systems, 2008); David Wallace Wells, *The Uninhabitable Earth* (New York: Penguin Random House, 2019).
5. For further analysis, see Glen T. Martin, ed., *Constitution for the Federation of Earth. With Historical Introduction, Commentary, and Conclusion* (Appomattox, VA: Institute for Economic Democracy Press, 2010). For the full text of the Constitution, visit <https://earthconstitution.world/text-of-the-earth-constitution/>.
6. To learn more about the World Constitution & Parliament Association (WCPA)'s work, visit <https://earthconstitution.world/about-wcpa/>.
7. For background to this idea, see Hannah Arendt, *On Violence* (New York: Harcourt Brace & Company, 1970).
8. This work is under the auspices of the World Constitution & Parliament Association (WCPA).

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## About the Author



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## Panel 1: The Time Has Come



## The Promise of Empowering Women

Laura George

Philosopher Ken Wilber, designer of Integral Theory, famously quipped in his book *A Brief History of Everything*, “Testosterone basically has two, and only two, major drives: fuck it or kill it.” As a seasoned, sixty-year-old woman, I feel qualified to confirm that testosterone is the most dangerous chemical on the planet. History shows that when testosterone courses through the arteries of power-addicted men, all manner of mayhem results.

What keeps women (relatively) safe from physical harm and sexual abuse? Law. How did we “win” the vote? Law. In what manner is our inherent right to economic parity enforced? Law. What enshrines our innate yet constantly threatened right to birth control and bodily sovereignty? Law. How is our right to mother our children after we divorce guaranteed? Law. For that matter, what protects the greatest Mother of all—our beloved Gaia? Law.

In some instances, culture and custom do protect women, children, and our natural environment, but not as handily nor as uniformly as law. More often, patriarchal cultures and religious customs oppress and even harm female members of our human family, as in the case of child brides and female circumcision—primitive practices forced upon highly vulnerable young females. And don’t even get me started on the savagery of trafficking women and children.

Of course, there also are misogynistic laws, as in the case of Sharia, routinely imposed by male Muslim judges to the detriment of women. Not to be outdone, audacious Christian men in the Texas legislature recently rolled back *Roe v. Wade*, which has protected our right to an abortion for nearly a half-century. At this point, I think the reader gets my point. On a planet dominated by men and riddled with greed, selfishness, and other base tendencies encapsulated in the classic “seven deadly sins,” the law is desperately needed, especially to protect women.

Does law equate to equality? No, not always. But if law is drafted properly, its terms clear, and its legislative intent unambiguous, miracles can happen. The evolutionary spiral leaps forward, unleashed and liberated from the consciousness of the lowest common denominator. Such was the case with the United States Constitution, amended over time to more closely align with maturing values. And such could be the case with the Earth Constitution.

To operate at Second Tier within the [Spectrum of Consciousness](#) means employing systems theory and compassion to solve problems. It also means that engaging in moral relativism is an indulgence and a distraction from discerning universal truth and building a better world. In sum, “live and let live” is no longer an option in the twenty-first century, where people flatly refuse to “do unto others” with respect and love. Rather, men of power find ways to dominate the rest of us and cleverly maintain a toxic status quo that oppresses more than half of Earth’s population.

Today, the Spectrum of Consciousness spans roughly nine levels of awareness. Quite literally, we have barbarians walking the planet alongside buddhas. Wilber goes so far as to say that the Buddha would be no big deal today, since many people have reached his level of self-realization. In my opinion, we should anchor world law to reflect the highest values of our most evolved sisters and brothers—which is what the Earth Constitution does. Then we pray that humanity, as a whole, will one day comprehend the Truth, share the Love, and see the Light (the Oracle Institute motto).

Could this model backfire? I suppose that creating 1,000 World Electoral Districts could result in an idiot or a compromised politician representing eight million people in the House of Peoples. It also is conceivable that the House of Nations might go the way of the U.S. Senate, with small countries banding together and blocking intelligent, progressive ideas. And I grant that the House of Counselors should include non-academic members, such as Indigenous Elders who are prized for their wisdom and their love of the planet. Yet this chamber was precisely premised on the sacred supposition that we should honor experience, expertise, and our shared body of accumulated knowledge. Therefore, let us not get bogged down at this stage of our analysis on how to define a worthy “Counselor.” We have much bigger fish to fry.

Instead, let us note the many times in history when law acted as the very catalyst needed to cement higher moral values, inspire the better angels of our nature, and drag Neanderthals kicking and screaming into the future. Jewish Mosaic Law (date uncertain) and the Persian Code of Hammurabi (circa 1750 BCE) reflected novel ethics. The Quran (500 CE) was progressive for its day as well, giving women the right to inherit property and obtain a divorce. Then came the Age of Enlightenment and the American, French, and Russian Revolutions—all fueled by testosterone but also minds freed by science and liberated from religious dogma. Thus began the modern era of replacing (mostly) male monarchs with the ideal of Democracy.

Later, ethical standards advanced even further, thanks to heroes like Elizabeth Cady Stanton, Mahatma Gandhi, and Martin Luther King, Jr. In the postmodern era, civil rights went global, women's rights too, along with the right to conscientiously object to war. These moral movements won the day and their principles enshrined into law, thereby raising the rights and dignity of all.

In closing, the Earth Constitution holds the promise of fully (and finally) empowering women. Once women are synergistic partners, humanity will be capable of solving the unprecedented and converging global crises of the twenty-first century.

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## About the Author



Laura George is Executive Director of The Oracle Institute, a think tank that studies the nexus between religion, politics, human rights, and conscious evolution. The Institute operates a spirituality school, an award-winning publishing house, and a global peace practice headquartered at the Peace Pentagon, a training and retreat center for pluralistic programs and social justice campaigns. She is the author of the trilogy *The Truth, The Love, and The Light*. She holds a JD from the Boston University School of Law.

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## Breaking Past UN Impotence

Roger Kotila

The public is largely unaware that forming a world federal union government is the solution to critical world problems, or that the Earth Constitution is the key to the needed changes. The United Nations, hampered by its fatally flawed Charter, is trying to resolve global problems with one hand tied behind its back.

The drawbacks in the UN Charter are similar to those found in the original US Articles of Confederation. Conflicts grew between the thirteen colonies. In response, the founding framers abruptly abandoned the Articles and replaced them with a federal constitution. Although not all of the colonies immediately accepted this new type of governance, eventually they all joined the federal union.

Much like the Articles of Confederation failed, the UN Charter has failed. The UN has not been able to save the world from wars, weapons of mass destruction, climate change, or human and environmental injustices.

The Charter's defects have been no mystery to world federalists who know what is wrong, and know what changes are necessary. And yes, the time for the Earth Constitution is now. It can serve as a guide and model for the UN General Assembly to transform the UN to a democratic world federal union with enforceable world law.

The Earth Constitution is specifically designed to correct the defects which prevent the UN from doing what is needed to resolve life-threatening global problems. It represents a "fast track" strategy similar to the adoption of the US federal constitution. Some world federalists prefer a "slow track" which models its strategy after the gradual development of the European Union.

## Breakthrough

A breakthrough strategy is already underway thanks to the visionary work of the World Constitution and Parliament Association. WCPA's Earth Constitution is waiting in the wings, ready to go.

The Earth Constitution represents a potentially powerful living symbol to inspire, lead, and guide our troubled world out of danger. A real breakthrough is possible. It will be possible to explain concretely how global challenges can be handled by the UN under the Earth Constitution compared to the UN Charter.

The potential breakthrough comes through Article 109-3 which legally requires Charter review, but which has yet to be completed according to the Center for UN Constitutional Research (CUNCR). The UN General Assembly could launch Charter review opening the door for the Earth Constitution. Democratic World Federalists call this strategy "The San Francisco Promise."

Despite the urgency of a world out of control, many world federalist organizations have held back from fully embracing the Earth Constitution. Part of this reluctance may have to do with insecurity caused by unproven assumptions, which I believe are "myths."

**Myth 1:** We don't need to change. We can handle the world's problems with the present UN and its 193 sovereign, independent nations. [Wishful thinking.]

**Myth 2:** We cannot succeed until we have "unity." [But there will always be doubters.]

**Myth 3:** We must first gain a large membership before we can hope to make the necessary changes. [The history of revolutions is full of the unexpected, of surprise, of the unlikely often brought about by a small group of people.]

**Myth 4:** "The process that leads to a constitution is no less important than the constitution itself." [The quality of a constitution must be judged on its own merits regardless of whether an individual drafted it, a group drafted it, or a drunk wrote it. Even a well-designed constitutional convention could write a bad constitution.]

**Myth 5:** "World federal government is not possible until the Year 2045." [We can't wait this long. The psychological error here is the danger of a self-fulfilling prophecy.]

## Time Matters

The Earth Constitution strategy allows us to move quickly. We cannot wait twenty-five to fifty years for the UN to become a world federal government as proponents of the European Union model advocate. That is unrealistic. The Bulletin of Atomic Scientists has the doomsday clock close to midnight.

During the signing of the Charter, the US government made a mockery of the UN's ideals by dropping the horrendous atomic bombs on Hiroshima and Nagasaki. The other Permanent 5 (P-5) veto powers on the UN Security Council have also betrayed the UN's core mission and, like the US, have refused to accept international law for themselves.

The US is the leading weapons dealer in the world. Its foreign policy is based on militarism, secret operations, economic warfare, and nuclear weapons rather than on cooperation, respect, and true caring. The P-5 powers all have used threats of violence or violence and refuse to accept for themselves the International Criminal Court and international law.

The world community and the UN General Assembly must take over from the Security Council P-5, whose undemocratic status lacks legitimacy. The P-5 should no longer be allowed to remain above the Law and to commit world crimes with impunity.

There comes a time when the dangers to our beloved world become too much for the existing UN geopolitical system—it's time for system change. A decisive and bold strategy highlighting the Earth Constitution could make the difference and become the inspiration for a worldwide peace and justice movement for a "new UN" and the establishment of a democratic world federal union.

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### About the Author



Roger Kotila is a psychologist, peace activist, and the president of Democratic World Federalists (DWF). He is the US vice president of the World Constitution & Parliament Association, a board member of the Center for UN Constitutional Research, and editor of *Earth Federation News & Views* and *DWF NEWS*. He holds a PhD in psychology from Washington State University.

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## The Last Hope for Our Lifeboat

Alexander Lautensach

Glen Martin's passionate call for an Earth Constitution appeals to our common humanity without denying our diversity. Every parliamentary democracy faced the problem of difference versus solidarity and sustained itself more or less through successive compromises in diverse cultural and geopolitical contexts. The two central questions implied by Martin are whether a democratic system of governance could be successfully upscaled to the global level and to what extent the attempt could be morally justified.

Critics of the Earth Constitution concept point to a fundamental contradiction between the observable "pluriverse" of cultures, ecologies, economies, polities, and worldviews, and the attempt to govern it with one universal set of laws and rules. Thus, they question the feasibility of upscaling. While a village can be governed quite democratically, not all opinions can be taken into account in a larger community, let alone an entire country, lest its government be paralyzed. Majorities rule, and minorities become disempowered. As the number of the governed and their opinions increases, the discrimination of minority views becomes more severe. The challenge is exacerbated when acute contextual challenges demand quick decisions and flexibility in governmental policy. Governments have addressed that by temporarily assuming emergency powers. But for a world government administering over a gigantic population in ecological overshoot amidst a tipping planetary climate, governing by emergency decree would have to be the norm, not the exception. The threat of paralysis, rendered huge by the pluriverse and particularly dangerous under the global emergency, would necessitate severe curtailments of democracy. All that renders upscaling government to planetary size problematic.

Another potential problem encountered by democracies of any size are the dangers of immoral consensus (e.g., not allowing women the vote) or imprudent consensus (e.g., neglecting a

pandemic). At national levels, such unfortunate consensus gives rise to ecocidal renegades, or to populist autocrats, or simply allows grossly unsustainable practices to persist on the basis of vociferous popular support. An international community committed to a just Great Transition can ill afford such outliers, but efforts to bring them into line under a world government would come at considerable cost to world peace and democracy.

These caveats allow a qualified answer to the question of whether a Great Transition could be accomplished at all without advocacy for world government. On the one hand, a type of “Eco-communalism” might be possible without a centralized world government, especially after a severe population reduction. But the likelihood of conflict and local failure in such a world would still be high. On the other hand, any “New Paradigm” type of Great Transition appears unachievable without commitment toward global cooperation and coordination. We cannot address the present state of extreme inequity in means and vulnerability, its worsening trend, and the diversity of ambitions and aspirations without some central adjudication. Considering the context of mass extinction, ecocide, climate disruption, and chaotic decline, decisive political action towards some kind of world government seems preferable to further hesitation, and essential for a Great Transition—but what kind of government?

Even a slightly democratic world government would still be preferable to the comparably anarchic situation and despicable injustice that prevail in international relations today. While the total plurality of opinions could never be translated into a fully representative plurality of policies, a government could provide avenues for the peaceful resolution of conflicts, based on logical reason, empirical wisdom and pragmatic intelligence. That consideration may have led to the prominence of academics as decision makers in Martin’s model. Under such an enlightened government, self-destructive progress traps like capitalist “sustainable development” would be less probable.

A government with considerable executive power seems necessary for a “New Paradigm” type of Great Transition at this critical juncture. It would hardly live up to the democratic ideals of Martin’s Earth Constitution. But does that prospect render advocacy for such a government morally unjustifiable, given the alternatives?

According to Garrett Hardin's "Lifeboat Ethics," the range of morally justifiable policies shifts under conditions that threaten the survival of all.<sup>1</sup> Kenneth Boulding's "Spaceship Earth," in order to function reliably, requires sound captaining even at the best of times, and not leaving decision-making to bickering tribes; but when the spaceship has morphed into a lifeboat, the requirements on governance become even more stringent. A world facing the imminent prospect of ecological collapse survives by new moralities that differ from the conventions of humanitarianism and individual rights to which some of the world's affluent cultures have become accustomed.

How would that morality be different? To what extent can we justify re-prioritizing, relinquishing, restoring values in the face of collapse under the agenda of Deep Adaptation?<sup>2</sup> The best viable compromise in this moral quagmire still includes the widest possible plurality of opinions that does not jeopardize executive flexibility to the extent that would doom the planet. Allowing a Bolsonaro or Trump to assume command of the lifeboat, just because it was his turn in a democratically equitable rotation, would risk sinking the boat. At issue is an adequate consensus on how far an effective Earth Constitution can deviate from the cherished basic democratic principles in Martin's blueprint, within a realistic estimate of the remaining time frame. If the consensus deviates too far into morally dubious territory, the survival of the human species becomes no more valuable than any one of the dozens of species we casually exterminate every day. We would forego our most precious human attributes. If it does not deviate far enough, we risk further paralysis and suffering. Guidance might be provided by a skeletal platform consisting of human rights (the grantable ones), sustainable and equitable human security, separation of powers, and the rights of all life forms, accompanied by widespread popular acceptance of this platform.<sup>3</sup>

This summary of an ethical platform for an effective Earth Constitution suggests that the time has passed for a liberal democratic constitution as proposed by Martin. However, the need for an effective Earth Constitution and world government is greater than ever. The summary raises additional questions about Lifeboat ethics. Should an effective Earth Constitution governing the Lifeboat permit that people be thrown overboard who are caught trying to throw people overboard, as some cultures are comfortable practicing? Can a global executive "serve and protect" within the boundaries of the Constitution while preventing transgressions that are currently tolerated, or even committed, by much of humanity?

As for “moving forward,” what would need to happen in order for global government in this form to become possible? Obviously, the proponents of an Earth Constitution would need to acquire much greater influence. Its major opponents (“great powers,” autocracies, multinationals, powerful organizations who benefit from the status quo) would need to change their priorities or lose much of their influence. How might that be possible? Are those organizations even capable of changing their “minds”? How much time do we have left in the face of overshoot to change the minds of billions? Extensive collapse is likely to eventuate sooner and might be more effective in destabilizing traditional power structures. That prospect accentuates the moral ambivalence of this post: In spite of all the potential benefits of a world government, should we really wish for these requirements to become fulfilled?

## Endnotes

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## About the Author



Alexander Lautensach is an adjunct professor and teacher trainer at the University of Northern British Columbia. His current research focuses on human ecology, cross-cultural education, and environmental ethics. He is the author of *Environmental Ethics for the Future: Rethinking Education to Achieve Sustainability and Survival How? Education, Crisis, Diachronicity and the Transition to a Sustainable Future*, as well as associate editor of the *Journal of Human Security*. He holds a PhD from the University of Otago.

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## Panel 2: Better Approaches



## Revise the UN Charter

Andreas Bummel

The nation-state certainly is not the last word in human socio-political development. At least it should not be if a planetary human civilization is to survive long-term. The failure of the Westphalian system in managing and providing global common goods to the benefit of humanity and future generations by now should be obvious for all to see. Insofar, it is right, as Paul Raskin, Zhao Tingyang, and others have done, to describe the current order as a failed state. But the problem runs deeper: there is no global state to start with that could fail.

As Jo Leinen and I argued in our book *A World Parliament*, the process of state formation that can be traced long into history is an ongoing one that now expands to the whole world system.<sup>1</sup> At many levels, global political integration is faced with unique conceptual challenges, in particular those related to identity formation.<sup>2</sup> The key question of our time, as I see it, is whether this process nonetheless will result in overcoming the paradigm of national sovereignty and in the formation of a planetary polity or whether instead there will be a general breakdown.

In all of this, the goal of a global constitution plays a central role and needs to be strategized. A constitution represents the legal foundation for any polity and describes how it is to be governed.

In a new long-term theory of change that has the hundredth anniversary of the United Nations in 2045 as a starting point, my organization Democracy Without Borders envisages that by then it might be possible to work out and adopt a global constitution. We suggest that a resulting world organization would have to be based on the principles of federalism and subsidiarity, equal global citizenship, separation of powers, checks and balances, the rule of law, fundamental human rights, and the protection of minorities.

Apart from the Earth Constitution promoted by Glen Martin and the World Constitution and Parliament Association, there have been many attempts at drafting such a document. They may serve as an

inspiration and may be helpful examples to draw upon in the future. For the purpose of this comment, I will refrain from entering into a debate whether this or that provision makes sense from my point of view. By all means, in my opinion a global constitution is no place for experiments. It needs to be based on experience and should be informed by arrangements that exist and worked elsewhere, such as in national constitutions and particularly those of federal states. The key point I wish to raise here is a different one, however: the process that leads to a constitution is no less important than the constitution itself, if not perhaps much more so.

Establishing a global constitution and a global polity is a formidable task that requires the highest possible standards in terms of a broad, public, inclusive, transparent, and legitimate process. Why are certain arrangements accepted and others not? Who is taking these decisions and how? Where does the mandate come from? What options have been looked at and discarded, and why? What examples are there to draw upon in different legal systems and national constitutions?

Creating a constitution is not an academic exercise. It is political. It is a matter of bringing together and including major stakeholders and balancing their views and interests so that they feel sufficiently represented in the process. Only then will they accept the result as legitimate. A global constitution will eventually require the support of a majority of the world's citizens, ideally expressed in a world referendum. This is the broadest possible threshold, and no risks should be taken.

The Convention on the Future of Europe held in 2002/2003 is an interesting example. The effort to establish a European Constitution failed at the time because the draft was rejected in popular referendums in France and The Netherlands. The process did not come from thin air. It was based on decades of debates and successive creation of common political institutions. If such a process fails, it cannot be repeated quickly. All the more, it is important that it is done right, from the outset, insofar as a global constitution is concerned.

At this point in time, it is quite obvious that key stakeholders—national governments—do not share the basic premises of a global constitution, namely, to transfer real power to a higher global political entity in some way, let alone a democratic one. Hence some suggest to move forward without them and let them ratify some given document later that was put together by a small group of self-appointed drafters. This approach in my opinion is deeply misguided. A global constitutional

process that sidesteps governments is stillborn. Whether one likes it or not, governments are the most important actors in today's world. Of course, there are other ones, too, like multinational corporations. Still, with some few exceptions and qualifications, it is national governments who control taxation, redistribution, the use of physical force, and rule-making and implementation. While it is true that a growing number of governments are not legitimate from the standpoint of democratic standards, the fact remains that many do represent their population and that big shares of people do identify with their nation-state. At the very least, the legislative branches need to be involved, representatives who were actually elected and have a mandate to speak on behalf of their constituents. This is not to say that governments and parliaments are the only relevant stakeholders. Far from it. But the notion that they can be excluded seems outlandish.

Yes, the UN is fundamentally flawed; however, any alternative path that is not accepted by governments will be even more flawed. We have been thinking about this over and over. Eventually, if a global constitution is supposed to come into force for all countries, which by definition should be the goal, the best way is to aim at a full revision of the UN Charter according to Article 109. There are big obstacles to surmount, such as securing the agreement of not only two thirds of states but also the five permanent members of the Security Council. Those who believe in the goal of a planetary polity and a universal global constitution need to face this political reality. If such a constitution were to enter into force with just a limited number of ratifications, the problem remains the same: how do we eventually get all states on board?

In my opinion, small successive steps may lead to success starting with a modest UN Parliamentary Assembly that may serve as an engine for change within the system that helps prepare favorable conditions for UN Charter review. A democratic world parliament that is freely elected by all world's citizens needs to be a centerpiece of any legitimate future global organization. From this standpoint, a belief in common democratic values and ongoing democratization at the level of nation-states seems to be a major precondition for any viable global constitutional process. This may be a dire conclusion as there seems to be a trend of autocratization across the world at this time. For this reason, as Swiss Senator Daniel Jositsch and I pointed out a year ago, the first thing that is needed in our view is defending and strengthening democracy at all levels, in particular globally. As we wrote at the time: "A global democratic revolution needs to push for a legitimate,

inclusive and representative global body ... The creation of a UN Parliamentary Assembly could be an important stepping stone to launch a global constitutional process and a transformation of global governance.”<sup>3</sup>

## Endnotes

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## About the Author



Andreas Bummel is co-founder and global coordinator of the Campaign for a United Nations Parliamentary Assembly, which advocates democratic representation of the world’s citizens at the UN and the institutions of global governance. The campaign has been endorsed by 1,500 sitting and former lawmakers from over 100 countries. He has been a council member of the World Federalist Movement–Institute for Global Policy, a fellow of the World Academy of Art and Science, and an honorary member of the Society for Threatened Peoples. He is co-author of such books as *A World Parliament: Governance and Democracy in the 21st Century* and *A United Nations Parliamentary Assembly: A Policy Review of Democracy Without Borders*.

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## Promote Interstate Cooperation

John Bunzl

There is no doubt that the world needs global coordination and governance. With a global economy, social justice and sustainability simply are not possible with governance that is only national.

But to suggest that this necessarily requires a world government is, to my mind, an error. In a world that is not culturally homogeneous, one-size-fits-all solutions are not appropriate, at least not at this stage in the evolution of human cooperation. What, then, should be the guiding principles and architecture for formulating flexible yet effective global cooperation?

As opposed to some form of world government, “effective global cooperation” would mean an international agreement or treaty that is entered into by all or sufficient nation-states for global problems to be properly addressed.

The principles underlying such an agreement could be the following:

1. **Simultaneity:** The provisions of the agreement would be implemented by all or sufficient nations simultaneously. In that way, capital and corporations could not play one nation off against another. All nations would win.
2. **Give and take:** The contents of any agreement would cover multiple issues so that what a nation might lose on one issue, it can gain on another. For example, if a climate agreement were paired with a global wealth tax or currency transactions tax, the vast proceeds from the tax could be used to compensate those nations having the highest costs to cut their emissions. (The absence of such a multi-issue approach explains why existing UN efforts are failing.)

3. **Policies, not targets:** Such an agreement would not consist simply of targets. Rather, it would be an agreement on precisely what policy actions each nation will implement to achieve the agreed targets. Each nation will therefore know precisely what every other nation will implement, and when, and what the likely effect on its economic competitiveness will be. (The lack of such transparency contributes to the uncertainty and inaction we see today).

4. **Not a one-size-fits-all approach:** The contents of any agreement need not be the same for all nations. For example, rather than the rate of corporate taxation being identical in all countries, the agreement could be that all nations would increase their rate by an agreed percentage. In that way, every nation's competitiveness would be maintained but the amount of tax revenue raised to fund public services would increase dramatically.

5. **Democracy wherever possible:** The contents of such an agreement would not be determined by national governments alone. At least in democratic nations, citizens (or their chosen experts) could determine the contents while at the same time declaring their intention to give strong voting preference at all national elections to candidates who have signed a pledge to implement the agreement, to the probable exclusion of those who refuse. In that way, not only would such an agreement be highly democratic, but politicians would also have an electoral incentive to sign the pledge while those who refused could risk losing their seats. With more and more parliamentary seats and even whole elections being won or lost on fine margins, it need not necessarily take a majority of citizens to cause political parties and governments to support the agreement.

In countries that are not democratic, the government itself would be invited to join the international negotiations at an appropriate time. The voluntary structure outlined above means that no nation has anything to lose by joining such a process and that, as the world steadily deteriorates, each will have much to gain.

In that way, all nations, regardless of their political culture or system, can be included in such an agreement, while citizens (at least those in democratic countries) would have a strong influence over its contents.

The above-mentioned principles offer an interim yet vital step that might be called "practical global cooperation." It falls short of a world government—and intentionally so—and yet it would be a

dramatic step forward that would solve problems like climate change, thereby demonstrating the benefits of global cooperation/governance to citizens all over the world. For without seeing those benefits, it is unlikely that citizens will support any move towards concrete world government. We might note, moreover, that the European Union and other such structures evolved out of practical cooperation. Practical cooperation came first.

A further benefit is that it does not require any reform of the United Nations. Citizens in democratic countries, at least, can follow these principles independently right now.

Global cooperation or world governance/government has never happened before. We would therefore be wise to support all the main campaigns working for these objectives, some of which have been mentioned by other contributors to this discussion. Nevertheless, a campaign based on the above-mentioned principles can be seen at [www.simpol.org](http://www.simpol.org). So far, more than 100 Members of the UK Parliament have signed its pledge. They come from all the main political parties. A growing number of MPs from various parties in other countries have also signed its pledge.

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## About the Author



John Bunzl is a global political activist and businessman. In 2000, he founded the Simultaneous Policy (Simpol) campaign, a way for citizens to use their votes to drive politicians towards global cooperation. It has supporters in over 100 countries and enjoys the support of a growing number of Members of Parliament around the world. He has authored or co-authored a number of books including *The Simpol Solution*, *Monetary Reform – Making it Happen!*, *People-centred Global Governance – Making it Happen!*, and *Global Domestic Politics*. He has published numerous articles on global governance in the *Journal of Integral Theory & Practice*. He has lectured widely, including to The Schumacher Society, The World Trade Organisation, The Lucis Trust, and various universities.

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## Integrate Democracies First

Chris Hamer

For the purposes of this discussion, I think we can all agree that Earthland requires a world government, some form of democratic world federation. The world faces some ever more critical problems and challenges, chief among them climate change and the elimination of nuclear weapons. Clearly, the whole world has to work together to solve problems like these, and that is precisely why we need a world government.

A government is established, after all, to take care of the common needs and problems of a society at any level, whether local, national, regional, or (finally) global.

The difficult problem is, how do we get there? The world federalist movement has been grappling with this problem ever since World War II, but no final answer has emerged. Various possibilities have been raised:

(1) **Constitutional Convention.** Go straight to the final destination. The Earth Constitution espoused by Glen Martin is an example of what might be adopted.

(2) **Reform of the UN.** Andreas Bummel's project for a United Nations Parliamentary Assembly would be a first step in that direction.

(3) **Integration of Democracies.** This is the route I would like to discuss here.

(4) **The regional route.** Wait until regional federations have been established first, and then go to the global level. See, e.g., the campaign in Latin America of Democracia Global.

Since nobody knows which route will eventually prove successful, world federalists should support all these campaigns wherever they can.

Having said that, I believe that integration of democracies is the best path. Democracy has to be a basic principle of any world federation, to avoid any possibility of world tyranny or autocracy.

Everyone has read dystopian visions of world government, such as *Brave New World* or *1984*, and according to surveys, about a third of the population will instinctively reject any idea of world government out of hand, equating it with images of jackboots and swastikas, i.e., world tyranny. So we need to exclude any possibility of that very carefully.

Unfortunately, the principles of universality and democracy necessary for world federation are not compatible at present. Roughly speaking, a third of nations are rated fully free by [Freedom House](#), a third are partly free, and another third are not free. This is arguably the root cause of our lack of progress up until now.

In these circumstances, Europe has shown us the way. World War II was the fifth major war between France and Germany in 200 years and resulted in approximately 55 million deaths. European thinkers determined that these disasters must stop, and European federation was the answer. Jean Monnet and his collaborators adopted a far-sighted strategy: start small (the original six members) and with a limited objective (the European Coal and Steel Community, which united the industries seen as the sinews of war), and then build stage by stage and Treaty by Treaty towards the European Union we see today. The final objective of European federation has still not been reached, but at least we can be reasonably confident that there will never again be a war between France and Germany! The Schuman Declaration, a founding document of the EU in 1950, declared that “Europe will not be built all at once, or according to a single plan.”

If we follow this strategy on the global scale, how should we proceed? Who should be the members of the initial community, and what should be their objective? The initial members should clearly consist of the nations that already accept the basic principle of democracy and are willing to take part. And the objective of the initial Community should be common security given current circumstances.

Democracy in the world has been going slowly backwards for fifteen years, according to the [Global Peace Index](#). Meanwhile, autocracy has been on the rise. In particular, China under Xi Jinping has been showing an increasingly aggressive attitude, fortifying islets in the South China Sea in

defiance of international law, extinguishing democracy in Hong Kong, and threatening to overthrow the democratic government of Taiwan, by force if necessary.

To deter and resist these threats, the democratic nations of the world obviously need to work more closely together, and ideally they should form a global alliance of democracies. That provides a need and an opportunity to form a World Security Community of democratic nations. A group of us have formed a transnational working group to try to bring this about: the [Coalition for a World Security Community of Democratic Nations](#).

We hope to see progress on these issues at President Biden's proposed Summit for Democracy in December. He has called for a global Summit for Democracy to "renew the spirit and shared purpose of the nations of the free world" and "will bring together the world's democracies to strengthen our democratic institutions, honestly confront nations that are backsliding, and forge a common agenda."

This could result in at least the first moves towards a new security community of democracies such as we have been discussing. This community would not only be strong enough to effectively deter any major aggression from China, but it could be a positive first step towards a brighter global future, following the European template.

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## About the Author



Chris Hamer is Honorary Associate Professor in theoretical physics at the University of New South Wales. He is the founder of the World Citizens Association of Australia and is currently president of Scientists for Global Responsibility (Australia) and the Coalition for a World Security Community of Democratic Nations. He has long been interested in the problem of eliminating nuclear weapons and in the ideal of democratic world federation as the only effective means to resolve this and other pressing global problems such as climate change. He is the author of *A Global Parliament: Principles of World Federation*. He holds a PhD from the California Institute of Technology.

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## Focus on Bioregions

Chella Rajan

Like most republicans (with the small 'r'), I am in favor of a world constitution as a document that affirms human and non-human flourishing, equality, and non-domination. Glen Martin's opening essay and several contributions to this forum seem to support this position broadly. But I also join my voice with those who have expressed their concern that in an already unequal world, the lack of inclusion and representation of marginalized segments of the world in the framing of the constitution might very well produce institutions that end up breeding new forms of violence and injustice. After all, the undemocratic United Nations system arose out of centuries of imperialism and colonialism and remains under the thumb of the Dollar-Wall Street regime.

Still, this need not be the sole benchmark for judging the proposal. A legal document that does not reflect the participation of underrepresented groups in global politics and claims to speak on behalf of everyone is not illegitimate by definition. Virtually all modern constitutions were written by a small body of influential and propertied men. Many were slaveowners, large landowners ruling over serfs, and prominent lawyers—elite men of means who frequently treated women, indigenous communities, and the natural world as parts of the scenery, not as agents themselves. But once they wrote constitutions to begin with the words, “we the people,” several progressive processes were set in motion.

Those excluded used the contradictions to assert themselves and make claims on those in authority. In a few instances, the phrase “we the people” and the (constitutionally mandated) institutions of rule of law helped to create political agents who learned to adapt (or were forced) to become public spirited even as they accepted and followed procedures. In others, they inspired political revolutions like the American Civil War, the Haitian revolution, the suffrage movement, and today's campaigns for food sovereignty, animal rights, and decoloniality.

I am therefore not as concerned as some of the interlocutors in this forum about the lack of representation in the drafting of a world constitution. A constitution can be seen a framing device that makes explicit the principles of social justice, so that ordinary people have the ability to make claims on power. A constitution gives people the right to justification, which is essential for confronting arbitrary action by elites in authority.

Writing a world constitution is, however, not the same as creating the conditions for “world government.” Rather than performing “coordination” functions, a world constitution might seek to revamp the existing Earth Charter into the language of law and jurisprudence. If Parties were to ratify such terms as a collective purpose, it would conceivably create the conditions to reduce white-collar crime and transnational crime, initiate state-led and collective efforts to provide a universal income, heal the Earth in ecologically sensible ways, and deploy safe and appropriate tools to improve collaboration on equal terms within and across borders, including fair trade and low-intensity markets.

## A Nod to Anarchism

There are good reasons to take seriously the anarchist position that cooperation without hierarchy or statehood is not only conceivable but is (and has been) the predominant pattern of living among Indigenous communities and forest peoples across the world, in spite of the growing pressures on them to fit into various programs. States have a “civilizing” mission that serves to erase vernaculars in all their dimensions—language, to be sure, but also other ways of living, including cuisine and food practice, and forms of worship.

Today’s nation-states are by no means natural sovereign entities. They emerged out of the European imperial ambitions of absolutist powers that grew in the seventeenth and eighteenth centuries, decolonizing impulses by peoples under occupation in the nineteenth and twentieth centuries, and what Pierre Manent terms a “liberal compromise” that allowed constitutional governments to form out of erstwhile monarchies.<sup>1</sup> That they exhibit unstable qualities because of the predominant roles of competing elite interests is as evident in the United States today as in the Congo. States do not allow ordinary people within them to practice the arts of not being governed.

The problem with the anarchist plot is that it assumes that letting people do their own thing in a million eco-communities is sufficient to heal the Earth and free humanity from the evils of

the state. Yet, the state as such is a chimera and is neither so ubiquitous nor overpowering as to remove human freedoms totally. Statehood—the institutions and processes of state actors—can be negotiated with and tamed by democratic institutions.<sup>2</sup> The focus of republican politics must be to contest its harmful territorial and rent-seeking power. In other words, it is the elite interests protected by state-making and war-making authority that destabilize human and ecological flourishing. Anarchists have the right impulse but perhaps not the right tools to contest this authority.

## Deterritorializing Global Governance

The proposed Earth Constitution does not yet destabilize territorial, rent-seeking power, in my view, but perhaps some minor changes would help. For instance, why base its formation on existing nation-states at all? Instead of a separate House of Nations and a House of Peoples, the Constitution could promote the idea of a single House of Biome Stewardship Councils, with representatives from the fourteen biomes of the world and a fifteenth one for coastal and marine fisheries.<sup>3</sup>

To begin with, each of these Councils would consist of a group of individuals elected or nominated by local community organizations that reside in the regions making up a biome, including a few government officials who are deemed to be particularly sensitive to ecosystem protection. To ensure public confidence, the rules for developing the Councils would need to come from input from extensive consultation from stakeholders who may, for instance, decide that a “biomic constitution” is warranted. Whatever the final outcome of these consultations, it is important that certain key principles be adhered to, namely that the Council members (a) be properly representative of the stakeholder groups resident to the biome; (b) function through internal rules of legitimacy; and (c) uphold basic values of ecological stewardship.

Since the precise boundaries of biomes are hard to delineate and because they are non-contiguous across continents, each Council need not ever be viewed threateningly as a political unit having territorial borders, but rather as a functional governance entity concerned with particular types of ecosystems. Finally, biome stewardship provides a realistic and less threatening start to this agenda than the idea of “world government.” An incremental adaptive institutional framework of law that is supra-national, but sub-global offers a practical way to build and govern the global commons.

It also offers possibilities for developing broadly accountable commitments for fair, personal, and collective freedoms; safe soil, water, and other constituents of life on Earth; and opportunities for new creative and collaborative ventures.

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## About the Author



Chella Rajan is Professor and Head of the Department of Humanities and Social Sciences at the Indian Institute of Technology Madras (IIT-M). He is also Coordinator of the Indo-German Centre for Sustainability and an Associate Fellow at Tellus Institute. He has an extensive twenty-year research background in transportation, energy systems, and the institutional and political context of environmental policymaking. His research has included energy and environmental scenario analyses, studies on the politics of power sector reform in developing countries, and analysis of institutional reform measures to reduce corruption. Previously, he worked at the California Air Resources Board and the International Energy Initiative, and as an independent consultant for the United Nations Development Programme.

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## Learning from Living Systems

Anneloes Smitsman

Through this brief essay, I would like to propose a widening of what we mean by “constitution” and how constitutional processes can serve the Great Transition.

The Great Transition requires constitutional thinking and praxis, yet perhaps not in the conventional ways of constitutional design. Instead, I would like to propose new ways of understanding governance based on the architecture and governance of living systems. In particular, how the implicate orders of the [informational architecture](#) of the universe serve as living constitutions for how life evolves on Earth.

This [informational architecture of complex living systems](#) is holonic and holarchic by design, and provides many insights about governance for regeneration and thriving. The living constitutions of our Earth express and evolve the informational architecture of our interdependence and do not impose or require a central authority. It is possible to mimic the basic principles of this informational architecture for the design and redesign of our human constitutions and governance.

I have attempted to do so as one of the lead architects for the [SEEDS Constitution](#), with inputs from hundreds of people and organizations from around the world. [SEEDS](#) is an open-source, decentralized, peer-to-peer financial and governance platform owned and governed by the citizens who use it. It consists of leading-edge protocols and tools for decentralizing economics and governance, based on ideas of liquid and tokenized democracies, and tokenized distributed voting mechanisms made possible by blockchain-based digital technologies.

Although the scale of SEEDS cannot be compared with the goal of a possible Earth Constitution, there are interesting constitutional elements that can be applied, in particular, for how to co-create a common framework for constitutionalizing the transitions to regenerative and thriving civilizations.

The SEEDS Constitution begins with the following preamble: “We, as the people of SEEDS, adopt this Constitution as our living compass, to co-create the evolutionary systems, cultures, and tools for thriving civilisations and the regeneration of our planet.”

The SEEDS Constitution explicitly acknowledges the evolutionary principles of life based on the new paradigm scientific understanding of life and the universe as fundamentally unified. As stated in Article 3 of the Constitution:

- 3.1 We acknowledge how our universe exists and evolves as a single unified entity, an undividable wholeness. The universe is a single unified being.
- 3.2 We acknowledge how our universe evolves coherently and is finely tuned to make life possible. The universe evolves through deepening coherence and increasing complexity.
- 3.3 We acknowledge our universe as an expression of consciousness, a continual learning journey of discovery through which we develop our capacities to thrive together. We actualize our consciousness by learning, experimenting, collaborating, reflecting, and sharing together.

I applaud and acknowledge the incredible work that has taken place under the umbrella of the Earth Constitution from 1968 to 1991. Having said this, I do have several concerns and am not convinced that this approach can resolve the fragmentation that it aims to address.

In his opening essay, Glen Martin writes, “World law is an absolute imperative for the future of humanity not only as coordinator and educator but as transformer. It is both a means to the next step in human evolution and a milestone within that evolutionary process.”

The Earth Constitution, although offering many merits, does (in my humble opinion) not reflect the many new experiments in governance and democracy-making that an Earth Constitution for a Great Transition requires. Furthermore, it does not seem to sufficiently include the Indigenous forms of consultation and Earth-based governance that I would expect from a global Earth Constitution.

Since 1991, myriads of new forms of democracy-making and digitally decentralized forms of governance have been developed. To simply ask people to ratify the current Earth Constitution, which was written during a very different era, appears to be an old paradigm approach towards creating unity in diversity.

I thus strongly recommend that an Earth Constitution reflects, coordinates, and facilitates the many new ways in which people can voice, make, and distribute decisions and form and implement shared agreements.

In the SEEDS Constitution, we agreed on the following 13 protocols (Article 6) to serve as guiding principles and architecture for regenerative governance and government proposals. Some of these protocols may also serve this exploration for an Earth-based constitutional process:

1. Openly Share Knowledge - Open Source Code.
2. Enable and Encourage Choice - Citizen Governed.
3. Include Spaces to Dream - Architect from the Future.
4. Capture Carrying Capacities - Operate Within Sustainability Thresholds.
5. Increase Carrying Capacities - Improve Systemic Resiliency and Health.
6. Encourage Diversity - Strengthen Evolutionary Coherence.
7. Communicate Inclusively - Create Resonance and Alignment.
8. Be Transformative - Develop Capacities Together.
9. Collaborate for Thrivability - With the Patterns that Connect.
10. Be a Good Future Ancestor - Allocate Prosperity Equitably.
11. Design in Fractals - Scale Holistically.
12. Enhance Fertility - Create Abundance Regeneratively.
13. To be Created ... - Open Space to Dream into Together.

How then should we move forward? Here are some suggestions:

- Shift our thinking from “constitutions” and “governments,” to processes for *constitutionalizing* and *governance*, in particular, to explore how we can apply the architecture of the living constitutions of our Earth for the design and redesign of human governance and law.
- The world has changed dramatically since 1991, especially where concerning digital technologies, AI governance protocols, and smart contracts executed through blockchain. An Earth Constitution should be able to guide the development of these new forms of governance and democracy-making.

- Instead of focusing on the development of a World Government as an institution, we may achieve a greater unification by focusing on the development of world governance and how a possible Earth Constitution can facilitate, empower, and coordinate principles, technologies, practices, and protocols for coordinating and scaling governance for regeneration—locally, bioregional, and globally, thereby creating a shared foundation for a myriad of diverse constitutions that serve diverse yet unified purposes.

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## About the Author



Anneloes Smitsman is a scientist, futurist, system architect, and leadership catalyst. She is founder and CEO of EARTHwise Centre, co-author of *The Quest of Rose* and the *Future Humans Trilogy* with Dr. Jean Houston, and author of *Love Letters from Mother Earth*. She is the lead author of the r3.0 Educational Transformation Blueprint, lead architect of the SEEDS Constitution, and an architect and researcher of Hypha and SEEDS for co-developing the regenerative renaissance tools and systems. She holds a PhD from the School of Business and Economics at Maastricht University.

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## Panel 3: The Process Matters!



## Cultivating Unity

Taina de Carvalho

Thinking of a world government as a way towards a Great Transition might only reinforce the ongoing hubristic direction taken by current government models if we do not first ask axiological questions. As communities, we need to set an intention to determine the direction in which we will be moving. What will happen depends primarily on the decisions we make. Suppose communities worldwide are basing their government model on eco-social values shared by the global population. In that case, a world government will not be necessary to advocate, especially as this one could not support the multi-cultural dimension of our societies. Therefore, it could be best to promote local political strategies with a foundation of globally shared values.

If the global government is not a necessity when communities agree on the same fundamental values, then international law, and the redefinition of the concept of democracy according to those laws, could be, on the other hand, essential. To what extent can we be free? What are human beings' fundamental rights, and how do we preserve them? Could what we call the natural world have rights too?

Those questions could be rationally and democratically debated based on the world's current situation to help us think about what we want now, from what we know, and what must be done. We must think of what sacrifices we are ready to make towards a common desirable future and then decide on the laws that will structure our existence. For example, we are all ready to accept a restriction on freedom when it comes to murdering someone by accepting the law that prevents it. However, could we accept a restriction on freedom when it comes to changing our habits that serve only our personal interests, such as unlimited global plane travel?

In France, unprecedented democratic action has been initiated lately. The Citizen's Convention on Climate gathers a drawn diversified population that is directly involved in the preparation of the

law.<sup>1</sup> Those citizens have no personal interests in the decision-making but must make decisions for the common good. This action, still experimental now, could be a model for other communities.

So, to go forward, a few fundamental questions to ask ourselves are, on which value system will our decisions rely? Can we globally agree on those values? How do we create a common global culture that withdraws from the Anthropocene to enable the Ecocene? Do we all agree on those questions, on what they mean, and on what they imply?

The capitalistic and colonialist contemporary occidental culture has subjugated otherness for its own pleasure and despises any other form of culture that is not its own. This relation to the world and understanding of it has had disastrous consequences. Unless the common value system is mutated towards something ethical and sustainable and our imperialistic ideas abandoned, this deadly spiral will go on.

How can we understand the world differently and reach a consensus? A good start would be to realize that we are all this world and that our actions are suicidal and terrorist. This mad pursuit of progress and growth has dazed us to the point that we have lost all contact with the real world. Nevertheless, we need that deep and intimate connection with the world to make grounded decisions. We need a new ontological model to redefine our way of being in this world. This crisis is not only a social and ecological one but also equally a crisis of culture, imagination, and senses. We are in a desperate need for beauty, for connections, for existential meaning, for belonging. Amid the current crisis, the arts have an essential role to play, as they can raise our eco-social and aesthetic consciousness. They invite us to be grounded in this world and trigger a dialogue by letting us experience our interconnection with the world. Arts in all their form can raise our sensibility and help us imagine what could be, enabling a shift of paradigms.

As beautifully said by Per Espen Stoknes, "by realigning ourselves in a sensitive way to the shapes and expressive forms of more than human nature, we unlearn our destructive dualistic habits. Moreover, we relearn in a practical way to align with the presence and processes of the Earth itself."<sup>2</sup>

A connection with life phenomena is thus precious if we want to change the way we are in this world. However, one crucial question remains, do we have time for it?

## Endnotes

1. For more on this, see <https://www.conventioncitoyennepourleclimat.fr/en/>.
2. Sally Atkins and Melia Snyder, *Nature-Based Expressive Arts Therapy, Integrating the Expressive Arts and Ecotherapy* (London: Jessica Kingsley Publishers, 2017), 14.

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## About the Author



Taina de Carvalho is an art therapist and educator. She works at the Finish creative workers' association Painovoima and Lahti Academy of Liberal and Fine Arts, focusing on exploring possibilities for the arts in personal and societal change. She has developed an art-based eco-social pedagogy for use in primary schools.

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## Fostering Legitimacy Bottom-Up

Tim Hollo

While the goal at the core of Glen Martin's Earth Constitution is a laudable one, and elements of his proposal are no doubt valuable, I write briefly to endorse and share the concerns of several commenters that the approach proposed is deeply problematic.

Hannah Arendt, in her extraordinary essay "Reflections on Violence," writes that "Power springs up whenever people get together and act in concert, but it derives its legitimacy from the initial getting together rather than from any action that may follow."<sup>1</sup>

This goes to the core of the idea of the Earth Constitution as proposed, both in terms of its top-down approach and in its continuing embrace of sovereign nation-states as one of the constituent elements of a global democracy.

If a system of global democratic governance is to have legitimacy, it must derive that legitimacy from a process of the people coming together to act in concert. A constitution developed by a small, select group of people and introduced through the auspices of nation-states, most of which do not themselves have such legitimacy, cannot be a legitimate form of power. If this is the path taken towards the introduction of an Earth Constitution, the expected outcome must be an illegitimate global system of power, and one incapable of (and likely uninterested in) enabling the Great Transition we seek.

While I appreciate and sympathize with the expressed desire for speed in the introduction of an Earth democracy, the suggestion that doing so through the existing Westphalian system of nation-states and the United Nations would be swifter than the alternative of cultivating something new from the grassroots up strikes me as naive at best. A brief glance at how long it is taking to negotiate global climate action through the existing geopolitical arrangement,

let alone a look at splintering global trade regimes, failed disarmament processes, and a largely toothless set of international courts, suggests that this is already a dead end in terms of working towards global democracy.

The constitution of an Earth democracy can only be developed through the process of constituting such a democracy, from the grassroots up, while using such democratic structures as already exist to support and enable communities to do this work. It is my view that a global confederation of local democracies is a vital long-term goal, but it must remain bottom-up, and can only be achieved by local democracies acting in concert and encouraging others to join them.

Regarding the proposed structure of a global parliamentary system, I suggest that neither the experts' House of Counselors nor the single member vast electorates of the House of Peoples, nor of course the House of Nations, meet the needs of a Great Transition. This system would entrench the deeply problematic adversarialism and hierarchicalism which are central to the root causes of the crises we face. It is only by cultivating systems of interdependence and horizontalism that we can truly address these crises.

## Endnotes

1. Hannah Arendt, "Reflections on Violence," *Journal of International Affairs* 23, no. 1 (1969): 19.

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## About the Author



Tim Hollo is executive director of the Green Institute, where he focuses on eco-political philosophy, practice, and policy related to the rights of nature, universal basic income, and participatory democracy. He is Visiting Fellow at the Australian National University's School of Regulation and Global Governance. He previously served as Communications Director for Australian Greens Leader Christine Milne and has been both a board member and campaigner at Greenpeace Australia Pacific. As both an environmentalist and musician, Tim founded Green Music Australia that works to reduce the environmental impact of the music scene and use its growing leadership to drive deep social and cultural change.

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## Strengthening International Law

Sylvia Karlsson-Vinkhuyzen

Advocacy for a world government must be central to a Great Transition strategy, but we have to realize that only treading a long path can lead us to a world commonwealth that ensures the unity in diversity that it by necessity needs to embrace and foster. It is a long path that can only be tread through the gradual building of community at global scale, a natural expanding of the narrower loyalties that have preceded it. This is a challenging feat as illustrated by the example of the European Union. And certainly, the strengthening of global institutions, if wisely done, can act as mutual reinforcement of such a growing sense of community—if they display the qualities of trustworthy governors serving humanity without bias. It is also a path that needs treading through deep deliberation, engaging individuals and communities across the globe. Only then can we trust that the collated wisdom of our cultures is used to identify what guiding principles such a government needs to be built on. While I do not expect that one will find sufficient reasons to dismantle nations—there is need for layers of government successively closer to the diversity of history, culture, and nature—there is much to be gained from settling those unsettled issues of, for example, disputed borders with neighbors, or very legitimate claims of sovereignty of indigenous nations within nations.

Before we can discuss the guiding principles and architecture for formulating world government proposals, we must discuss the principles for deliberating the principles themselves, and then we need to identify principles for allocating responsibility among levels of governance. The principle of subsidiarity has some promise to offer here—although it needs to be understood in more depth, and also explored with regard to how it can be used as a deliberative tool.<sup>1</sup>

I would also plead for a deep reflection on principles for other elements of the architecture:

- What will be the principles for the generation, sharing, and application of knowledge that will support a world government? The importance of nurturing a much broader access, among all people, to the systematic search for truth? Such search for truth can be through the methods of science, experienced-based learning built over generations in many cultures, and drawing on the books of revelation among the world's faiths. Such principles are important to explore, especially with regard to access to education and lifelong learning.
- What will be the principles for representation and deliberation in a world government and its supporting bodies? Should it be acceptable to lie, to slander, to distort truth for the interest of a specific group? Should those elected be tasked to represent only the interest of the constituency that elected them, or do they have obligations to the wider humanity and the planet?
- What principles should guide the election process of a future World Parliament, whether elected by direct votes or by indirect election (e.g., by the world's legislatures)? Should we simply take over the systems where those eager to have power are most likely to be elected? Or shall we find ways to promote elections based on other qualities like service, humility, and wisdom?
- What principles should guide the development of accountability mechanisms? Will they be oriented towards guarding against mistrust or towards building trust and learning from experience?

The Earth Constitution is one, but only one of many valuable ideas on the table for the architecture of a future world government. However, there is need for more than a ready package; rather, there is also need for a deliberative process increasingly involving more people and communities. Nonetheless, there is still much value in lawyers and scholars developing alternative ideas for the future institutional design. When the world is ready for deeper conversations, those proposals may form valuable injections of ideas. My own preference is to explore a route forward in UN reform while not excluding building shadow institutions, such as a UN Parliamentary Assembly adjacent to it, ready to be incorporated when states realize its value.

But more than the architecture for a future world government, we also need to consider the legal landscape. Many have promoted a kind of Vienna Convention for international environmental law, whether as an Earth Charter or a Pact for the Environment, against the backdrop of such a large

and fragmented landscape of international environmental law. And while the international laws in this field are not usually enforceable, they have been developed with most states at the table and with virtually every state having a de facto veto because of the consensus decision-making principle (which is one that needs to be gradually left behind). They form a foundation for international collaboration and a tool as yet far too underutilized to address the environmental havoc we are facing.

There is not one road, but an emerging vision of a direction and many paths need to be tread to finally get there. The path that I want to highlight as treadable already now, building on what we have, is to strengthen the culture of the rule of international law, a proposal I have elaborated with Maja Groff.<sup>2</sup> Whatever future world we aspire to, law has proved a powerful tool of just and effective governance. It is the absence of the “real” rule of law that gives major powers the room to act “above” the law—and less powerful states, lack of access to remedy. While we can focus on advocating—in our national parliaments and courts—for adhering to the Paris Agreement or the Convention on Biological Diversity or other agreements, we also need to nurture the emergence of a strong culture of the rule of international law, i.e., that states treat their international agreements as binding obligations and act accordingly.

## Endnotes

1. Sylvia Karlsson-Vinkhuyzen, “The Role of Principles for Allocating Governance Levels in the 2002 World Summit on Sustainable Development,” *International Environmental Agreements: Politics, Law and Economics* 13, no. 4 (2013): 441–459.

2. Maja Groff and Sylvia Karlsson-Vinkhuyzen, “The Rule of Law as a Global Public Good: Exploring Trajectories for Democratizing Global Governance Through Increased Accountability,” in *The Commons and a New Global Governance?*, eds. Samuel Cogolati and Jan Wouters (Northampton, MA: Edward Elgar, 2018), 130–59.

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## About the Author



Sylvia Karlsson-Vinkhuyzen is Associate Professor with the Public Administration and Policy Group of Wageningen University, the Netherlands. She studies the effectiveness and legitimacy of global and multilevel sustainable development governance, and the interaction between knowledge, values, and institutions. She is a member of the Task Force on Scenarios and Models for the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES) and serves on the Board of Trustees of the One World Trust and the governing board of the International Environment Forum. She has a PhD in political science from Linköping University, Sweden.

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## Honoring the Pluriverse

Ashish Kothari

Glen Martin's essay on an Earth Constitution and a World Parliament is based on a completely tenable proposition: that the earth needs some form of global coordination to get out of the mess in which we find ourselves, and that nation-states (and a nation-state-based United Nations) are not fit for purpose. There are a number of progressive elements in the proposal.

I find, however, several problematic ones, too. Perhaps these lie in the way the proposal has been framed and is being put forth as "a finished document ready for ratification." The process involved five initial drafters, helped by a drafting committee of twenty-five, and consultations with "hundreds of world citizens." Given that it took twenty-three years, I can understand why it would be put out as ready for ratification. I tried finding out more about the "hundreds of world citizens" who were involved, but could not get details on the website for the Earth Constitution.

The names I did find of people supporting the idea of a world government or of the Earth Constitution itself made impressive but confusing reading, with lots of radical thinkers and activists but also a number of political leaders who have been autocratic, racist, or otherwise hostile to democracy. But more importantly, I could find no evidence of the central involvement of Indigenous peoples, fisher communities, small farmers, artisanal craftspersons, etc. Indeed, around the time the drafting was taking place, the vast majority of these people across the world (especially in the Global South) would hardly have had access to forms of communication used by the Global North. Were they involved? And if not, or not substantially, is it legitimate to call this a "finished document ready for ratification"? In how many languages does it exist, to be taken to such people to understand and ratify?

A Global North perspective seems to infuse the proposal in other ways too (and please note that I include people like Prime Ministers of Southern countries like India as part of the Global North, in

that they are part of an elite that is not necessarily representative of or sensitive to the voices and needs of the world's marginalized peoples). There is a rigidity of the prescriptions, for instance that there will be 1,000 World Electoral Districts of substantially equal population. Perhaps in the history of the making of this proposal there is some justification given, but consider this: each District would comprise some 8 million people. This would necessarily combine several Indigenous nations of the Amazon (or of China, or of India) with some of the biggest nearby cities and populations of non-Indigenous, and it does not take much imagination to figure out who will dominate, and who will represent this District at the world level—most likely not an Indigenous person. A very large proportion of self-defined “peoples” of the world have small populations, and they would be swamped out in such a system, much as they are swamped out by the nation-state system in the UN.

Then, the House of Counsellors is made up of academia. The assumption is that these are the learned people, who can counsel the other two Houses. But surely, we now know that the knowledge and expertise needed to save the world lies not only in “institutions of higher learning” but also in the Indigenous people and other local communities, many of them perhaps not even able to read or write but able to gauge the moods of the earth and the interactions amongst nature much better than those with PhDs? A certain neo-colonialism peeps through in any proposal that prioritizes the formal processes of education over the non-formal experiential processes of learning.

Another reflection of such a Global North approach is the tendency to universalize. The world is a pluriverse, an incredible diversity of cultures, ecologies, economies, politics, worldviews, and so on; to try to govern it with one universal set of laws and rules is, to my mind, a recipe for erasure, however well-intentioned. This, combined with the kinds of powers that the World Parliament is to be given and the kind of composition being proposed that also includes the continuation of nation-states, has the very real danger of this becoming a super-government, with the same disastrous centralization of powers that is currently the reason that nation-states are not fit for purpose, on an even more gigantic scale.

A World Constitution is perhaps needed, and a global people's body (or bodies) too, but if it is truly to be founded on the principle and practice of direct, radical democracy and respect of diversity (natural, cultural) on the ground, I am doubtful that a rigid, centralized, universalizing approach is fit for purpose. What is instead needed is a process in which the diversity of peoples is able to discuss and deliberate, on their own and then through networks of solidarity and dialogue, the principles of an earth constitution (or charter), evolved in multiple tongues. This can happen through, and help further evolve, the frameworks and principles of people's assemblies from ground to globe. The links between [radical ecological democracy](#) on the ground and peoples' global assemblies need to be carefully thought through, such that the latter remain accountable and answerable to the former. Simultaneously, we must develop institutions of bioregional or biocultural landscape/seascape level governance that can replace nation-state boundaries which are currently dividing ecosystems and natural/cultural flows; such institutions, too, would be represented in global peoples' assemblies. And in all these forums, places have to be kept for other species, with custodians nominated who can speak on their behalf, so that is never an anthropocentric model of governance. Obviously, this is not the place to lay this out in greater detail, but such a truly democratic and ecocentric approach would be very different from the proposal under discussion.

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## About the Author



Ashish Kothari is a founder of the Indian environmental group Kalpavriksh. He has taught at the Indian Institute of Public Administration, coordinated India's National Biodiversity Strategy and Action Plan process, and served on Greenpeace International and Greenpeace India boards. An active participant in peoples movements, he helps coordinate the Vikalp Sangam Global Tapestry of Alternatives processes and Radical Ecological Democracy network. His books include *Churning the Earth: Making of Global India* (with Aseem Shrivastava), *Alternative Futures: India Unshackled* (co-edited with KJ Joy), and *Pluriverse: A Post-Development Dictionary* (co-edited with Ariel Salleh, Arturo Escobar, Federico Demaria, Alberto Acosta).

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## Building the Global Movement

Ben Manski

Does the process of constitution-making matter more than the particularities of constitutional design? Recently published research by a growing range of social scientists and legal scholars indicates yes. For instance, in their book *Constituents Before Assembly*, Todd Eisenstadt, A. Carl LeVan, and Tofigh Maboudi provide their findings from a sweeping empirical analysis of the effects of popular participation in constitutionalization.<sup>1</sup> The takeaway? As noted in my *Law & Society Review* review, “participatory constitution-making...has a lasting and systematic effect on subsequent democratization.”<sup>2</sup>

My own doctoral research built on the works of Maboudi and his colleagues, as well as sundry others, and asked about the role of democracy movements in making constitutions. A comparative analysis of the eleven top-30 GDP countries that underwent formal constitutionalization processes between 1974 and 2001 showed that the strategies of democracy movements in relation to constitutional openings were significantly determinative of subsequent democratization. In cases where such movements engaged in a revolutionary constitutional practice (mass engagement in deliberative constitutionalism from below, producing clearly articulated constitutional programs as in Brazil, Canada, Poland, South Africa, and Spain), both textual and substantive democratization followed. In cases where democracy movements failed to practice revolutionary constitutionalism (Australia, China, Iran, Russia, Saudi Arabia, Turkey), the outcomes ranged from middling to disastrous.

Of course, these stories are complex. But the argument involves, in part, the ideas expressed in this excerpt:

A social movement can be defined as a collective application of human energies through the medium of society for the purpose of agitating and reconfiguring social relations toward common goals. Thus, a social movement is a wave. There is significant variation among different

movement forms in their scope and intensity. When constitutional movements arise, they assemble broad coalitions out of diverse sectors of society. As a result, if successful, their effects extend far beyond formal law.

What does this mean for the idea of an Earth Constitution? Among other things, it suggests that approaches to global constitutional change that center the state, government, governance, nations, and existing global institutions are misguided. Yes, we should consider plural approaches to constitutional change. And the structures through which movements move matter; they condition possibilities. But regardless of the particular terrains on which global constitutionalization moves forward, it is the deliberative mobilization of millions of peoples that ultimately is vital to success.

By centering the movement-building process—in this case, the question of how a global constitutional movement builds itself through plural yet concerted democratic engagements—we transcend the historical failures of elite constitutional design and build the strategic capacity to mobilize the necessary resources in sufficient time to reconstruct our global political economy, avoiding the worst possible climate futures. The emerging technological revolutions of this period make possible decentralized coordination on a global scale. The prefigurative constitutionalisms of earlier efforts such as the Constitution for the Federation of Earth as well as the more recent Encuentros, Cochabamba, Occupy, Movement for Black Lives, solidarity economy, climate strike, and Social Forum processes, among others, make a global constitutional transition from below that much more likely.

The question that matters most is not whether an Earth Constitution is a good or necessary idea. It is also not what we, ourselves, believe the design of such a constitution should be. The question we must take up is that of how to engage hundreds of millions of our fellow human beings in a mass constitution-making process from below.

## Endnotes

1. Todd Eisenstadt, A. Carl Le Van, and Tofigh Maboudi, *Constituents Before Assembly: Participation, Deliberation, and Representation in the Crafting of New Constitutions* (New York: Cambridge University Press, 2017).

2. Ben Manski, review of *Constituents Before Assembly: Participation, Deliberation, and Representation in the Crafting of New Constitutions*, by Todd Eisenstadt, A. Carl LeVan, and Tofigh Maboudi, *Law & Society Review* 52, no. 4 (2018): 1111–1116.

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## About the Author



Ben Manski is Assistant Professor of Sociology and Director of Next System Studies at George Mason University, where he studies the participation of ordinary people in the deliberate constitution of their societies. Prior to his academic career, he practiced public interest law for eight years and managed national non-profit organizations, direct action campaigns, and political campaigns and parties for twenty-five years. Manski founded, co-founded, or helped instigate many pro-democracy mobilizations and organizations, including the Democracy Teach-Ins, 180/Movement for Democracy and Education, Liberty Tree Foundation, Move to Amend, Wisconsin Wave, and the Global Climate Strikes. He holds a PhD in sociology from the University of California, Santa Barbara.

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## Author's Response



## Response to Panelists

Glen T. Martin

I am grateful to all the panelists for their comments on my essay on the *Constitution for the Federation of Earth*. I think there were both understandings and misunderstandings, so I will respond to these individually.

Several commenters emphasized evolving forms of ever-greater coordination and governance. Andreas Bummel, for instance, argued that only “bringing together and including major stakeholders and balancing their views and interests so they feel sufficiently represented in the process” will confer the necessary legitimacy on an outcome. This process, he urged, involves UN reform moving through a UN Parliamentary Assembly and beyond.

This response embodies the central confusion, shared by several other responses, that our human situation is basically evolutionary, as opposed to revolutionary. Rather than simply a failed state, the condition of the world is more like a totalitarian state involving systems of domination and exploitation going back to early modern European imperialism, colonialism, and institutionalized slavery. This global political system is dominated primarily by the five permanent members of the Security Council. It is an economic system that has institutionalized exploitation of the Global South by the Global North and all the people of earth by global private banking cartels that create 99% of all money as debt to themselves and their First World imperial states. The headquarters of the World Bank and the IMF are not by accident in Washington, DC.

Climate science dramatically shows that righting the human condition cannot be done in gradual evolutionary time. Either we take the revolutionary step of creating global democracy and making a truly transformative “great transition” now, or we run the serious risk of going extinct, as nuclear scholars have shown nearly occurred multiple times as we approached the brink of nuclear war.

Finally, the Earth Constitution embodies exactly the “process” Bummel touts. It can only be ratified by the people of Earth *directly* under its Article 17. The people of Earth comprise all its “stakeholders” equally. That is why the Constitution is revolutionary. It gives us the most direct democracy possible at this point in history, arising from the will of the people of Earth. For many “evolutionists,” the word “stakeholders” is a code word for bringing the system of domination into the “conversation” about global governing: the banks, the imperial nations, the multinational corporations are all “stakeholders” in their view. But the result of bringing in these “stakeholders” can only be more domination, exploitation, and systemic crisis, not human liberation.

Chris Hamer advocates “integration of the democracies” as an alternative approach to putting strategic emphasis on ratifying the Earth Constitution. However, advocating a process of integration” again masks a system of domination and exploitation. There are no real democracies in today’s world. The French revolutionary idea of “*Liberté, égalité, fraternité*” has never been realized on our planet. Capitalism places immense wealth in a few hands, wealth that is used everywhere to subvert democracy and turn all so-called democracies into wealth-based oligarchies. And the system of absolute sovereign nation-states makes each so-called “democracy” an imperial destroyer of other people’s freedom and independence.

Chella Rajan rightly affirms that we need to go beyond the imperialism, neo-colonialism, and exploitation of contemporary institutions, but I strongly disagree with the “nod to anarchism” and the idea of a world governed by “revolutionary councils.” In his profound book on *Ecosocialism*, philosopher Joel Kovel shows that the anarchist approach would result in a world of immense duplication of efforts, a chaos of approaches, and a tragic lack of cohesion in addressing global crises, like the climate emergency. The Earth Constitution provides for a holarchical synergistic approach in which top-down and bottom-up unite in an explosion of creative possibilities such as that envisioned by Buckminster Fuller, Kovel, and many others.

John Bunzl points out that our planet is culturally very diverse and that we cannot have “one size fits all,” preferring a form of global cooperation over a democratic global government. This response appears to ignore that fact that there *must be something universal* making us all human that is the foundation for the democratic idea. Otherwise, a solution to our suicidal situation is simply impossible. Scholars such as Jürgen Habermas, Steven Pinker, and Noam Chomsky have shown that what is

universal is the translatability of all languages into one another, giving us the real possibility of “dialogue directed toward mutual understanding.” That is what the Earth Constitution makes possible. The one size that fits all is a global democratic framework that makes possible such dialogue, so that people, through democratic processes, can take charge of our failing environment, our condition of massive human rights violations, and our nuclear holocaust brinkmanship, and move us beyond these suicidal threats.

Without specifying alternative structures, several other commenters stress the centrality of the process itself. Tim Hollo emphasizes that the “process that leads to the constitution is no less than the constitution itself.” He cites Hannah Arendt’s “Reflections on Violence” about power springing from the people and contrasts this with the “top-down” approach of the Earth Constitution as well as “its continuing embrace of sovereign nation-states as one of the constituent elements of a global democracy.” In my 2016 book *One World Renaissance*, I draw on these same reflections on violence by Arendt in which she contrasts governmental violence with governmental power, showing that the weaker a government is in representing the people, the more it resorts to violence. The Earth Constitution, by actualizing the unified power of the people of Earth, has no need for violence, ending forever the horrific cycle of violence that characterizes human history.

This is precisely because the Earth Constitution does not “continue to embrace sovereign nation-states,” as Hollo wrongly claims. The so-called absolute sovereignty of nations is broken by the Constitution, and they are relegated to appropriate limited and regional federated sovereignty. The only legitimate sovereignty is the people of Earth (Article 2). The Earth Constitution is also precisely not “top-down,” but rather grows from the grassroots of 1,000 world electoral districts and provides for the grassroots people of Earth the tools, for the first time in history, to represent themselves in the form of democratic government, free of violence, precisely it represents their legitimate power. It unites the whole, which means that top-down and bottom-up unify in a synergistic holarchy.

Other interlocutors questioned whether the Earth Constitution process has sufficiently included marginal groups. Ashish Kothari, for example, opines that the “hundreds” of world citizens writing the Earth Constitution may not have included “fisherpersons, crafts-persons,” etc. The World Constitution and Parliament Association (WCPA), of which I am president, is currently completing the defining of the 1,000 world electoral districts by population planetwide, called for by the

Constitution, and instituting direct, secure electronic voting in each of them. Surely voting by the entire planetary population will include “fisherpersons and crafts-persons.” All means all. As Roger Kotila explains, the group that happened to have written the founding document is entirely irrelevant. Democracy is entirely about who ratifies it.

Ben Manski outlines various movements that appear to be attempting the kind of cooperative and collective processes that might somehow result in an overarching constitution or unifying institution, a kind of reinvention of the wheel, as he seems to hope, before the last tipping point is reached beyond which human beings will be unable to stop climate collapse or nuclear holocaust. Sylvia Karlsson-Vinkuyzen also mires us in process, declaring that it is “a long path that can lead to a world commonwealth that ensures the unity in diversity that it by necessity needs to embrace and foster.” In reality, as I have pointed out in multiple ways, such a path does not really begin until we have ratified the Earth Constitution. Human beings are on a cosmic journey to ever-greater forms of realization and liberation, but today we have no way to overcome the destructive causal legacies of our tragic past, legacies of war, mass destruction, climate destruction, hate and fear.

All those who affirm an evolutionary solution, as urgently as they may voice this, are dragging us down into perdition, for the reality of our present threshold situation is truly revolutionary. We will either unite humanity to overcome capitalist domination and militarized sovereign nation-states or we will perish likely before the end of the twenty-first century. The Earth Constitution is not more of the same because the old system is constructed of historically contingent institutions founded on greed and absolute national borders. The Constitution for the first time unites humanity under a founded system based on universal human dignity and rights and the foundational unity in diversity of our true human situation. Never before has anything like this happened. We unite behind our common humanity: what could be more creative, revolutionary, and truly new?

Other commenters pointed to the necessity of a spiritual or ecological lens to the project of global collaboration. Taina de Carvalho emphasizes the need to truly reconnect with the Earth and our cosmic ground. She writes, “Amid the current crisis, the arts have an essential role to play, as they can raise our eco-social and aesthetic consciousness. They invite us to be grounded in this world and trigger a dialogue by letting us experience our interconnection with the world.” Such an emphasis on our need for spiritual and moral growth is important, but it will do little good for an

extinct species, which will be the case within the coming century unless major paradigm shifts in government and economics happen very soon.

Anneloes Smitsman likewise shows acute awareness of the need for a holistic consciousness that mirrors the profound holism of Gaia, and she rightly does not think the Earth Constitution gives this to us. However, in *The Earth Constitution Solution*, I show the ways in which the Earth Constitution forms a necessary step in the process of actualizing such a consciousness. Under our present world institutions, global capitalism and militarized sovereign nation-states, their institutional propaganda actively defeats any widespread transformation to truly ecocentric consciousness.

The crises we face are undeniably urgent. In light of that, Alexander Lautensach expresses fear of a possible trend toward “governing by emergency decree” and “severe curtailments of democracy” resulting from the “threat of paralysis, rendered huge by the pluriverse and particularly dangerous under the global emergency.” However, as the COVID-19 pandemic and many other global disasters have shown, that is exactly the condition of today’s world disorder: governing by emergency degree. The Constitution addresses exactly this situation as effectively and intelligently as possible. The global crises are coming faster and faster as the world careens into chaos, but the Constitution offers a tool for human beings uniting to democratically take control of the process. Instead of “moral ambivalence,” we need the decisive courage and vision to act now, before it is too late, to ratify the Earth Constitution.

Roger Kotila and Laura George underscore how the Earth Constitution meets the urgency of this moment. Kotila writes, “I contend that the Earth Constitution is a visionary gift to humanity, waiting in the wings to be embraced, and “just what the doctor ordered” to save the world.” Laura George emphasizes the legal power that the Earth Constitution gives to humanity to protect universal human rights, including the now almost universally violated rights of women. Like Kotila, she hits the nail on the head, for the Earth Constitution offers humanity a unique and unparalleled opportunity to reverse the tragic trajectory of our current disordered world system. In sum, I would say we have an opportunity to not collectively squander what may be truly the world’s greatest opportunity at this threshold moment in human history.